

Serial No.: 09/774,429

Attorney's Docket No.:10559/340001/P9885

REMARKS

Claims 1-15 and 17-30 were pending prior to amendment.
Please cancel claims 27-30, without prejudice or disclaimer.
Claims 1-15 and 17-26 are currently pending.

Claims 1-15 and 17-26 stand rejected as allegedly being unpatentable in view of UK Published Patent Application No. GB 2,317,792 A to Minear et al. ("Minear").

In view of the amendments and remarks herein, the rejections are respectfully traversed. Reconsideration and allowance are respectfully requested.

Claim 1

Claim 1 has been amended to further emphasize patentable aspects of the disclosure. Claim 1 is patentable over Minear at least because Minear neither teaches nor suggests a first classifying forwarding element and separate decrypting forwarding element, as recited in claim 1.

Instead, Minear teaches that classifying and decrypting functionality is performed within firewall 18. For example, page 7 lines 14-18 teaches that:

When a datagram is received form unprotected network 16 or is to be transmitted to a destination across unprotected network 16, the firewall must be able to determine the algorithms, keys, etc. that must be used to process the datagram correctly. In one embodiment, this information is obtained via a security association lookup.

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That is, Minear's firewall both classifies the packet and decrypts the packet.

Further, there is no motivation in the cited references to use separate classifying forwarding elements and decrypting forwarding elements. The motivation to do so lies entirely within the current disclosure.

In the current disclosure, a first classifying forwarding element separate from one or more decrypting forwarding elements allow for efficient packet processing, by allowing decryption to be offloaded. As shown in FIG. 2, a separate classifying forwarding element may perform functions such as load balancing and the like. Since the classifying forwarding element need not decrypt IPsec packets to perform classification functions, the classifying forwarding element may perform them efficiently, prior to decryption.

As noted above, Minear neither teaches nor suggests separate classifying and decrypting forwarding elements. Further, it would not have been obvious to modify Minear to include such a feature. Minear describes its invention as follows:

...the method comprising the steps of
determining, at the IP layer, if a message
is encrypted, if the message is not
encrypted, passing the unencrypted message
up the network protocol stack to an
application level proxy, and if the message
is encrypted, decrypting the message and

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passing the decrypted message up the network protocol stack to the application level proxy, where the step of decrypting the message includes the step of executing a procedure at the IP layer to decrypt the message.

Thus, classified messages are either passed directly up the network protocol stack to the application level proxy, or passed to the application level proxy via the decryption engines of Minear. In order to separate classification and decryption (so that, e.g., load balancing may be performed prior to decryption), substantial changes would need to be made to the system of Minear. Thus, it would not have been obvious to modify Minear to include the features of claim 1.

For at least the above reasons, claim 1 is patentable over Minear.

Claim 1 is further patentable because Minear neither teaches nor suggests "if said classification parameter is not available, and the IPsec traffic is encrypted then decrypting traffic in a decrypting forwarding element separate from the first classifying forwarding element after said traffic has passed through said classifying forwarding element," as recited in claim 1.

Instead, Minear teaches that "in one embodiment, if firewall 18 receives datagrams which are identified as either an IP_PROTO_IPSEC_ESP or IP_PROTO_IPSEC_AH protocol datagram, there

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must be a corresponding SA in the SADB or else firewall 18 will drop the packet and an audit message will be generated."

(Please see page 8, lines 18-23 of Minear). That is, if the classification information is not available, the packet will be dropped rather than decrypted.

For at least this additional reason, claim 1 is patentable over Minear.

Claims 2-5

Claims 2-5 depend from claim 1, and are therefore patentable for at least the same reasons as stated above with respect to claim 1.

Claims 6-10

Claim 6 includes features similar to those discussed above with respect to claim 1, and is therefore patentable for similar reasons. Claims 7-10 depend from claim 6, and are therefore patentable for at least the same reasons.

Claims 11-15 and 17-26

Claim 11 includes features similar to those discussed above with respect to claim 1, and is therefore patentable for similar reasons. Claims 12-15 and 17-26 depend from claim 11, and are therefore patentable for at least the same reasons.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific

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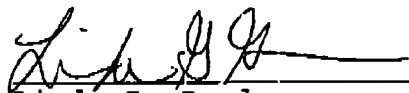
rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Claims 1-15 and 17-26 are in condition for allowance, and a notice to that effect is respectfully solicited. If the Examiner has any questions regarding this response, the Examiner is invited to telephone the undersigned at (858) 678-4311.

No fees are believed due. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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